

REMARKS

Applicant appreciates the Examiner's thorough consideration provided in the present application. Claims 4-13 are currently pending in the instant application. Claims 1-3 were previously canceled without prejudice to or disclaimer of the subject matter contained therein. Claims 8-11 and 13 are withdrawn. No claims are amended. Claims 4 and 8 are independent. Reconsideration of the present application is earnestly solicited.

Examiner Interview

Applicant wishes to thank the Examiner for the courtesies extended to Applicant's representative, Carl T. Thomsen, Registration No. 50,786, during the interview which was conducted on October 20, 2005. The Applicant maintains that the claims as currently written are not taught or suggested by the references cited by the Examiner.

Election/Restriction

Claims 4-13 are pending in the present application. The Examiner has required an election in the present application between:

Group I, claims 4-7 and 13; and

Group II, claims 8-11 and 12.

The Examiner asserts that Groups I and II are related as subcombinations, and has withdrawn claims 8-11 and 13 from consideration as being constructively elected.

Traversal

It is respectfully submitted that the Restriction Requirement is improper.

The Examiner is respectfully requested to reconsider his Restriction Requirement and act on all of the claims in the present application. If the Examiner maintains the Restriction Requirement, the Applicant reserves the right to file one or more divisional applications directed to the non-elected claims at a later date if they so desire.

Amendments To The Specification

The specification is amended merely to correct minor typographical errors. No new matter has been entered.

Claim Rejections Under 35 U.S.C. § 102(b) and § 103(a)

Claims 4-5, 7, and 12 have been rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Shaughessy et al. (U.S. Patent No. 5,075,787). or Ng et al. (U.S. Patent No. 5,138,465); and

Claim 6 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Shaughessy et al. in view of Hobino et al. (U.S. Patent No.

5,751,343) or Brownstein (U.S. Patent No. 4,482,924). This rejection is respectfully traversed.

Arguments Regarding Independent Claims 4 and 8

In Shaughnessy et al. and Ng et al., the areas designated with identifying marks such as "B", "S" and "R" as shown in FIG-3 are treated with "treatment mode" (for example, see column 7, lines 10-12 of Shaughnessy). However, the treatment here is totally different from the correction of image defects as the present invention. The "treatment mode" in Shaughnessy et al. and Ng et al. is the treatment of changing an original document while the present invention, as set forth in claims 4 and 8, aims to correct the image data reproducing the fine scan image data of an original print image without the defect.

Further, although the "Erasure" described in page 6, lines 56-58 pointed out by the Examiner is to erase highlighted areas, it does not reproduce the original document. If only the erasure is carried out, a blank portion will be generated in the document, which is the clear defect of the document.

Accordingly, the image correction apparatus claimed by the present application is not disclosed by Shaughnessy et al. and Ng et al.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. 102(b) are respectfully requested.

Thus, independent claim 4 is in condition for allowance. Further, the Applicant respectfully submits that independent claim 8 is also in condition for allowance

Arguments Regarding Dependent Claims

All dependent claims are now in condition for allowance due to their dependence on an allowable independent claim, or due to the additional novel features set forth therein. Accordingly, the rejection under 35 U.S.C. § 103(a) is now moot.

For example, claim 7 of the present invention defines detecting the position of the identifying mark by comparing the image data of the print image with image data of the scanned image. On the other hand, Shaughnessy et al. and Ng et al. merely describe a comparator to distinguish highlighted areas from unhighlighted areas on a support that is reflective to UV light using a scanned image data (column 4, lines 56-59 of Shaughnessy et al. and column 7, lines 13-22 of Ng et al.), and they do not describe comparing the print image data with the scanned image data.

All pending claims of the present invention, namely claims 4-13, are in condition for allowance.

CONCLUSION

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but merely to show the state-of- the-art, no further comments are deemed necessary with respect thereto.

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), the Applicant respectfully petitions for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$120.00 is being filed concurrently herewith.

In the event there are any matters remaining in this application, the Examiner is invited to contact Carl T. Thomsen, Registration No. 50,786 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit

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Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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